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END5007USNPAmendments to the Claims

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (currently amended) A biopsy device comprising:  
a hollow biopsy needle having a tissue receiving port;  
a hollow cutter advancable within the biopsy needle to sever tissue received within the tissue receiving port; and  
a sample tube having an open distal end defining a generally circular opening, wherein the sample tube defines a central axis, wherein the generally circular opening is positioned on the central axis such that the central axis perpendicularly intersects the generally circular opening, the sample tube being supported on the biopsy device and advancable within the cutter.
2. (original) The biopsy device of Claim 1 wherein the sample tube is releasably coupled to the biopsy device.
3. (original) The biopsy device of Claim 1 comprising a vacuum source in communication with the sample tube.
4. (original) The biopsy device of Claim 1 wherein the sample tube is advanced by fluid pressure.
5. (original) The biopsy device of Claim 1 wherein the sample tube is advanced pneumatically.
6. (original) The biopsy device of Claim 1 comprising a piston operatively associated with the sample tube.
7. (original) The biopsy device of Claim 1 comprising apparatus for advancing and retracting the cutter within the biopsy needle.

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8. (original) The biopsy device of Claim 1 comprising apparatus for advancing and retracting the sample tube within the cutter.
9. (original) The device of Claim 1 wherein the hollow needle comprises a lateral tissue receiving port spaced from the distal end of the needle.
10. (original) The device of Claim 1 wherein the sample tube comprises a vacuum lumen and a sample lumen.
11. (original) The device of Claim 1 wherein the sample tube comprises a tube wall feature for retaining tissue samples.
12. (original) The device of Claim 11 wherein the tube wall feature comprises a notch disposed adjacent the distal end of the sample tube.
13. (original) The biopsy device of Claim 1 comprising a rotating journal for rotating and advancing the cutter.
14. (original) The biopsy device of Claim 1 wherein the cutter has at least one hole extending through an outer surface of the cutter and spaced from a distal end of the cutter.
15. (original) The biopsy device of Claim 14 wherein the cutter has a plurality of holes spaced from the distal end of the cutter.
16. (currently amended) A biopsy device comprising:  
a hollow biopsy needle having a lateral tissue receiving port;  
a hollow cutter advancable within the biopsy needle to sever tissue received within the tissue receiving port;  
a sample tube having an open distal end defining a distal opening, wherein the sample tube defines a central axis, wherein the distal opening defines a generally circular plane transverse to the sample tube, wherein the central axis intersects the plane, wherein the sample tube further comprises a proximal end in communication with a

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source of vacuum, the sample tube being releasably supported on the biopsy device, and the sample tube advancable within the cutter; and  
a drive mechanism for advancing and rotating the cutter within the biopsy needle, wherein the drive mechanism comprises an internally threaded, rotatably driven component for advancing and rotating the cutter.

17. (currently amended) A method of obtaining a tissue sample comprising the steps of: drawing tissue into a tissue receiving port of a hollow biopsy needle; advancing a hollow cutter in the needle to sever a tissue sample; advancing a hollow sample tube in the cutter to position the tissue sample in the sample tube, wherein the hollow sample tube has an open distal end, wherein the open distal end comprises a distally facing opening defined by the distalmost perimeter of the open distal end, wherein the tissue sample is axially received in the hollow sample tube through the opening at the open distal end of the hollow sample tube during the act of advancing the hollow sample tube.
18. (original) The method of Claim 17 comprising stacking multiple samples within the sample tube.
19. (original) The method of Claim 17 comprising providing a vacuum through the sample tube.
20. (original) The method of Claim 17 comprising providing axial vacuum in the cutter with at least one sample disposed in the sample tube.